



## **Statement of Advocacy for the Welfare of Horses: Increased Penalties for Violators of KRS 525.130 Animal Cruelty Statute**

Date: 2/8/10

### **Opportunities for Discouraging Equine Neglect and Cruelty**

Kentucky has the opportunity to strengthen its protection of horses and other animals by increasing penalties for those who violate KRS 525.130. If horse owners, caretakers and others who are found in violation of KRS 525.130 are required to surrender their animals and remit substantial fines, and are prohibited from owning animals of any species, repeat cruelty offenses will be discouraged.

### **Background Facts**

- Owners of neglected and starving horses are cited according to KRS 525.130
- A violation of KRS 525.130 is a Class A Misdemeanor
- Individuals found guilty of cruelty to animals are permitted to maintain ownership and custody of those animals despite a guilty verdict
- Some counties have opted to sentence the owner to surrender animals when found guilty of cruelty to animals
- Fines are handled on a case by case, county by county basis with a maximum fine of \$500 per charge. Some violators are charged one count per animal, with a subsequent fine per animal, while others are ordered to pay one low fine despite several counts
- After a guilty verdict some counties sentence owners to a period of time during which they may not own animals
- There is no additional fine or penalty for repeat offenders under KRS 525.130.

### **Changes which would discourage repeat violations of KRS 525.130:**

- Require that all animals owned by the guilty party be forfeited to the county after a person is found guilty of a violation of KRS 525.130. Such animals could then be adopted, humanely euthanized, or dispersed under the direction of the animal control agency
- Classify repeat violations of KRS 525.130 as a Class D Felony
- Implement statewide standards for minimum fine amounts per animal when violations of KRS 525.130 occur
- Implement statewide standards for increased minimum fine amounts per animal when REPEAT violations of KRS 525.130 occur
- Require that anyone found guilty of violating KRS 525.130 cannot own animals of any species in Kentucky for at least one year
- Require that anyone found guilty of a repeat violation of KRS 525.130 cannot own animals of any species in Kentucky for 5 years
- Allocate all fines collected for animal related violations of local ordinances and state statutes to a state fund earmarked for the reimbursement of the care and medical cost of confiscated animals in cruelty cases